

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-419567-001 SE

02/05/2015

COMMISSIONER BRIAN D. KAISER

CLERK OF THE COURT
K. L. Johnson
Deputy

STATE OF ARIZONA

JONATHAN JOSEPH PLICHT

v.

CHELSEA NICHOLE EATON (001)

NICHOLAS JAMES DEHNER

APO-PLEAS-CCC
PRETRIAL SERVICES AGENCY-CCC

TRIAL MINUTE ENTRY
DAY 3

Courtroom CCB 804

| | |
|-----------------------|-----------------|
| State's Attorney: | Jonathan Plicht |
| Defendant's Attorney: | Nicholas Dehner |
| Defendant: | Present |

Court Reporter, Lori Thielmann, is present.

A record of the proceeding is also made by audio and/or videotape.

11:26 a.m. Trial to Jury continues from 02/04/2015.

The jury is not present.

Final Jury Instructions are discussed.

11:44 a.m. Court stands at recess.

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1:38 p.m. Court reconvenes with Defendant and respective counsel present. The jury is not present.

Court Reporter, Lori Thielmann, is present.

A record of the proceeding is also made by audio and/or videotape.

Court and counsel discuss matters.

1:40 p.m. The jury is present.

Defendant's case:

Lori Fickes is sworn and testifies.

Defendant's Exhibit 2 is received in evidence.

The witness is excused.

Mary Quihuis is sworn and testifies.

Juror questions are received, discussed by Court and counsel at the bench, and asked of the witness.

FILED: Juror Questions (5-7)

The witness is excused.

Defense rests.

2:03 p.m. The jury is excused from the courtroom. Court remains in session.

Final Jury Instructions are discussed.

2:06 p.m. Court stands at recess.

2:26 p.m. Court reconvenes with Defendant and respective counsel present. The jury is not present.

Court Reporter, Lori Thielmann, is present.

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A record of the proceeding is also made by audio and/or videotape.

Final Jury Instructions and verdicts are discussed and settled.

2:29 p.m. The jury is present.

Final Jury Instructions are read to the jury by the Court.

FILED: Final Jury Instructions

Closing arguments.

Jurors 1 and 4 are designated as the alternate jurors by lot and excused from further consideration of this cause.

3:23 p.m. The jury retires under the charge of the sworn bailiffs to consider their verdicts.

4:36 p.m. Court reconvenes with Defendant and respective counsel present.

Court Reporter, Lori Thielmann, is present.

A record of the proceeding is also made by audio and/or videotape.

The members of the jury are all present in the jury box and by their foreperson return into Court their verdicts, which are read and recorded by the clerk and are as follows:

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find the Defendant as to Count 1: Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs (Impaired)(Person Under Fifteen Years of Age in Vehicle) as follows:

_____ Not Guilty

__X__ Guilty

Signed
Foreperson

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We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find the Defendant as to Count 2: Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs (Drugs or Metabolites)(Person Under Fifteen Years of Age in Vehicle) as follows:

_____ Not Guilty

__X__ Guilty

Signed
Foreperson

The jurors reply that these are their true verdicts.

FILED: Verdicts

The jury is polled at the request of Defense Counsel. Each juror replies that this is his/her true verdict.

The jury is thanked by the Court and excused from further consideration of this cause.

IT IS ORDERED setting time for Sentencing on 03/11/2015 at 8:30 a.m. in this division.

IT IS FURTHER ORDERED that the Adult Probation Office shall conduct a presentence investigation and submit a report to this division prior to sentencing.

IT IS FURTHER ORDERED affirming prior release orders pending sentencing.

4:42 p.m. Trial concludes.

LATER:

IT IS ORDERED permanently releasing any exhibits not offered in evidence.

FILED: Trial Worksheet and Exhibit Worksheet

ISSUED: Exhibit/Record Release Form